

SENATE BILL 3259  
By Rice

AN ACT to amend Chapter 80 of the Private Acts of 1965; and  
any other acts amendatory thereto, relative to the  
parking authority of the city of Clarksville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 80 of the Private Acts of 1965 and any other acts amendatory  
thereto, is amended by adding the following language between the first and second paragraphs  
of Section 5:

The authority is authorized to establish a schedule of civil penalties, including  
late fees and costs, none of which may exceed one hundred dollars (\$100.00) for  
violation of any parking regulations adopted by it, including, but not limited to, the  
following:

- (1) Overtime parking at a parking meter;
- (2) Parking on a sidewalk;
- (3) Parking in front of a public or private driveway;
- (4) Parking within fifteen (15) feet of a fire hydrant;
- (5) Parking on a crosswalk;
- (6) Parking alongside or opposite any street excavation or obstruction when  
stopping, standing, or parking would obstruct traffic;
- (7) Parking on the roadway side of any vehicle stopped or parked at the edge or  
curb of a street (double parking);

(8) Parking facing the opposite direction of the flow of traffic in the lane of a street;

(9) Parking at any place where official signs prohibit stopping or parking; and

(10) Parking in a space clearly identified by an official sign as being reserved for the physically handicapped; unless, however, the person driving the vehicle is physically handicapped or parking such vehicle for the benefit of a physically handicapped person.

Any person who receives notice of an alleged parking violation shall have the right to an administrative hearing before the parking authority. Such hearing shall be held not earlier than ten (10) days, nor later than forty-five (45) days, from the date of the issuance of a notice of an alleged violation. At the hearing, the parking authority shall take and maintain a verbatim record of the proceedings, and shall hear and decide whether a violation has occurred, and shall impose the appropriate civil penalty in such cases.

Any person aggrieved by a decision of the parking authority may appeal the decision to the Chancery Court of Montgomery County pursuant to Tennessee Code Annotated, Section 27-9-101, et seq.

The parking authority may institute legal proceedings to collect any penalties, late fees, or other costs owed to it.

SECTION 2. Chapter 80 of the Private Acts of 1965, as amended, is amended by adding the following new paragraph at the end of Section 6:

The parking authority may enter into interlocal governmental agreements with other private or public agencies, including the Clarksville Police Department, for the enforcement of parking regulations in the city of Clarksville. Any notices issued by such agency of alleged parking violations shall be returnable and subject to the exclusive jurisdiction of the parking authority.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the governing body of the city of Clarksville. Its approval or nonapproval shall be proclaimed by the presiding officer of the city of Clarksville and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.